Case 08-09233	Doc 1	Filed 04/15/08	Entered 04/15/08 18:03:03	Desc Mair
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# United States Bankruptcy Court 1 of 41 Northern District of Illinois Eastern Division

Voluntary I	Petition
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Name of Debtor (if individual, e					Name	of Joint Debtor	(Spouse) (Las	st, First, Middle	e)			
All Other Names used by the D and trade names):	ebtor in the	last 8 years	; (include ma	rried, maide	n All Ot maide	All Other Names used by the Joint Debtor in the last 8 years; (include married, maiden and trade names):						
Last four digits of Soc. Sec. or In (if more than one, state all) * Sun						Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * Subject to Fed R. Bankr.P.9037. See note below.						
Street Address of Debtor (No. 8	& Street, City	y, and State	):		Street	Address of Join	nt Debtor (No.	& Street, City	, and State):			
2 N 451 Amy Stre	eet											
Glen Ellyn IL			6	0137								
County of Residence or of the I	Principal Pla	ce of Busine	ess:		Count	y of Residence	or of the Princ	cipal Place of I	Business:			
Mailing Address of Debtor (if di	fferent from	street addre	ess)		Mailing	g Address of Jo	int Debtor (if o	different from s	street address):			
Location of Principal Assets of	Business De	ebtor (if diffe	rent from str	eet address	above):							
Type of Debtor (Form of Org (Check one box)	ganization)	N	lature of Bu		Chap	ter of Bankru	otcy Code Un	nder Which th	e Petition is Filed (Check one box)			
Individual (includes Joir See Exhibit D on page 2 of	nt Debtors)		Care Busine			hapter 7		☐ Chapter	15 Petition for Recognition			
			Asset Real d in 11 U.S.0		l	hapter 9		of a Fore	eign Main Proceeding			
☐ Corporation (includes L	LC & LLP)	□ Railro		7 101 (015)		hapter 11 hapter 12		☐ Chapter	15 Petition for Recognition			
☐ Partnership		Stockl				hapter 13		of a Fore	eign Nonmain Proceeding			
Other (If debtor is not o above entities, check the		☐ Comm	nodity Broker			Nature of Debts (Check one Box)						
and state type of entity		☐ Other	-		■ De	■ Debts are primarily consumer □ Debts are primarily business						
			Tax-Exempt		— de	bts, defined in	11 U.S.C.	deb	ts.			
			heck box, if ap r is a tax-exe	,	_	101(8) as "incu dividual primari	•					
			zation under			ersonal, family, erpose."	or household					
			l States Code nue Code).	e (the interna	ai pu	iipose.						
Fil	ling Fee (Ch	eck one box)			Chock	Chapter 11 Debtors Check one box						
Filing Fee attached						Debtor is a small business debtor as defined in 11 U.S.C. Sec 101(51D)						
□ Filing Foo to be poid in insta	allmanta (an	nliaahla in in	dividuala anl	v) Must offe	a ch							
☐ Filing Fee to be paid in insta signed application for the co unable to pay fee except in	ourt's consid	eration certi	fying that the	debtor is		Check if:  ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affliates) are less than \$2,190,000.						
☐ Filing Fee wavier requested	d (applicable	to chapter 7	7 individuals	only). Must	Checi	Check all applicable boxes:						
attach signed application fo	r the court's	consideration	on. See Offic	ial Form 3B.		☐ A plan is being filed with this petition.						
						acceptances of	the plan were	solicited prep	etition from one of more classes			
Statistical/Administrative Inf		labla fan dia							This space is for court use only			
<ul><li>Debtor estimates that funds</li><li>Debtor estimates that, after funds available for distribution</li></ul>	any exemp	t property is	excluded an			es paid, there w	rill be no					
Estimated Number of Creditors	٦		_		П	П	П	_				
1- 50- 1	00-	<b>1</b> 200-	1,000-	<b>5</b> ,001-	10,001	□ 25,001	<b>5</b> 0,001	Over				
Estimated Assets		999	5,000	10,000	25,000	50,000	100,000	100,000				
\$0 to \$50,001to \$		\$500,001	\$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	☐ More than				
	500,000	to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion				
Estimated Liabilities												
\$0 to \$50,001to \$	100,001 to	\$500,001	\$1,000,001 to \$10	\$10,000,001 to \$50		\$100,000,001 to \$500	\$500,000,001 to \$1billion	More than \$1 billion				
\$50,000 \$100,000 \$		to \$1 million	million	million	million	million	(O φ IDIIIIOII	ψι υπιυπί I				

<sup>\*</sup> Fed.R. Bankr. P. 9037 requires redaction of an individual debtor's taxpayer-identification number (ITIN) -- include last 4 digits only

<u> </u>		<u>Entered 04/15/08 18:03</u>	3:03 Desc Main
	ntary Petition Document ompleted and filed in every case)	Naageo£Debadr(s)	r Brian Coatt
This page must be of	impleted and med in every case)	Naczilia	r, Brian Scott
	All Daises Developments of Const. File of Withhis Look Co.	V ('\$ then the state of a distinct	Laborati
Location Where Filed:	All Prior Bankruptcy Case Filed Within Last 8 \	Case Number:	Date Filed:
Pending Bankru Name of Debtor:	uptcy Case Filed by any Spouse, Partner, or A	ffilate of this Debtor (if more than one, at Case Number:	ttach additional sheet)  Date Filed:
Name of Debtor.	1	Case Number.	Date i lieu.
District:		Relationship:	Judge:
5.55			July 1
To be completed if debtor is forms 10K and 10Q with the pursuant to Section 13 or 1934 and is requesting relief		I, the attorney for the petitioner na that I have informed the petitioner chapter 7, 11, 12 or 13 of title	nibit B  al whose debts are primarily consumer debts.)  amed in the foregoing petition, declare r that (he or she) may proceed under 11, United States Code, and have er each such chapter. I further certify the notice required by 11 USC §
	and made a part of this petition.	/s/ Juan M	Villalpando
		Juan M Villalpando	Dated: 04/14/2008
	Fish	ibit C	
Does the debtor own or have	possession of any property that poses or is allege	ibit C ed to pose a threat of imminent and identifia	able harm to public health or safety?
☐ Yes, and Exhibit C is a	attached and made a part of this petition.		
No.	·		
_	Folk	illii D	
(To be completed	■ <b>■★</b> I by every individual debtor. If a joint petition is file	ibit D ed, each spouse must complete and attach	a separate Exhibit D.)
Exhibit D completed and	I signed by the debtor is attached and made a par	rt of this petition.	
If this is a joint petition:			
Exhibit D also completed	d and signed by the joint debtor is attached and ma	ade a part of this petition.	
		ng the Debtor - Venue	
Debtor has b	Check the A  peen domiciled or has had a residence, princ	pplicable Box.)	spate in this District for
	mediately preceding the date of this petition		
There is a ba	ankrijintav osoo ospoorning dobtor's offiliato	ganaral partner or partnership pendi	ng in this District
There is a ba	ankruptcy case concerning debtor's affiliate,	, general partner, or partnership pendi	ng in this district.
	lebtor in a foreign proceeding and has its pr		
	s District, or has no principal place of busine g [in a federal or state court] in this District,		
	in this District.	er are intereste er are parace will be e	orvod ii rogara to tilo
Corti	ification by a Debtor Who Reside	as as a Tonant of Residential	Property
Ociti	Check all app	plicable boxes.	rroperty
	s a judgment against the debtor for possess	sion of debtor's residence. (If box chec	cked, complete the
following.)	(Name of landlord that obtained judgment	t)	
	(Address of Landlord)		
☐ Debtor claims	s that under applicable nonbankruptcy law,	there are circumstances under which	the debtor would be
	cure the entire monetary default that gave ri		
	vas entered. and		
	ncluded in this petition the deposit with the control he filing of the petition.	court of any rent that would become di	ue during the 30-day
	es that he/she has served the Landlord with	n this certification. (11 U.S.C. § 362(1))	

Voluntary Petition Document

Nate (s)

Kaczmar, Brian Scott

### \_\_\_\_\_\_ Signatures

### Signature(s) of Debtor(s) (Individual/Joint)

This page must be completed and filed in every case)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

## /s/ Brian Scott Kaczmar Brian Scott Kaczmar

Dated: 04/09/2008

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition (Check only **one** box.)

□ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order

Signature of Foreign Representative

Date:

Printed Name of Foreign Representative

### << Sign & Date on Those Lines

## Signature of Attorney /s/ Juan M Villalpando

Signature of Attorney for Debtor(s)

### Juan M Villalpando

Printed Name of Attorney & Bar Number Bar No: 6285237

LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400

Chicago IL 60603

Dated: 04/14/2008

312.332.1800 (PH) 312.332.6354 (FAX)

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)

### Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person,or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



### Document Page 4 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar Debtor** 

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of

the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

of realizing and making rational decisions with respect to financial responsibilities.);

Active military duty in a military combat zone.

participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Dated: 04/09/2008 /s/ Brian Scott Kaczmar **Brian Scott Kaczmar** 

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h)



Sign & Date Here

# Document Page 5 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar Debtor** 

Bankruptcy Docket #:

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

Date	d: 04/09/2008 Sign & Date Here
l cert	ify under penalty of perjury that the information provided above is true and correct.
	5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) loes not apply in this district.
	Active military duty in a military combat zone.
	Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
	Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
ı	4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
	If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.
	3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]
	2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
	United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bankruptcy Docket #: **Brian Scott Kaczmar, Debtor** 

Attorney for Debtor: Juan M Villalpando

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

#### The compensation paid or promised by the Debtor(s), to the undersigned, is as follows: \$2,000 For legal services, Debtor(s) agrees to pay and I have agreed to accept \$2,000 Prior to the filing of this Statement, Debtor(s) has paid and I have received The Filing Fee has been paid. **Balance Due**

The source of the compensation paid to me was:

Debtor(s) Other: (specify)

The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.

- The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: **None.**
- The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11. U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the **first scheduled** meeting of creditors.
- (d) Advice as required.
- By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does **NOT** include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

/s/ Juan M Villalpando 04/14/2008 Dated:

> Attorney Name: Juan M Villalpando LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH) 312.332.6354 (FAX)

> > Page 1 of 1 Form B203 (12/94)

Bar No: 6285237

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

Attorney for Debtor: Juan M Villalpando

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
[x] None				
	Value of Real Pi			

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	C A H	Debtor's Propert Deduc	t Value of Interest in y, Without ting Any d Claim or
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		Checking account with - Fifth Third Bank xxx2241		\$	20
03. Security Deposits with public utilities, telephone companies, landlords and others.	X				
04. Household goods and furnishings, including audio, video, and computer equipment.		Household goods: TV, stereo, sofa, small appliances, microwave, bed and dresser		\$	500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures		\$	30
06. Wearing Apparel		Necessary wearing apparel.		\$	50
07. Furs and jewelry.		Watches		\$	25
08. Firearms and sports, photographic, and other hobby equipment.	X				
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X				
10. Annuities. Itemize and name each issuer.	X			D (40/05)	B 4

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

SCI	HEC	DULE B - PERSONAL PROPERTY		
Type of Property		Description and Location of Property	C H H	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X			
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars	X			
13. Stocks and interests in incorporated and unincorporated businesses.	X			
14. Interest in partnerships or joint ventures. Itemize. Itemize.	X			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16. Accounts receivable	X			
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X			
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights and other intellectual property. Give particulars.	X			
23. Licenses, franchises and other general intangibles.	X			
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X			
25. Autos, Truck, Trailers and other vehicles and accessories.				
		1995 Chevrolet Blazer with over 170k miles		\$ 915

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

SCHEDULE B - PERSONAL PROPERTY							
Type of Property	N O N E	Description and Location of Property	C H M	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or			
26. Boats, motors and accessories.	X						
27. Aircraft and accessories.	X						
28. Office equipment, furnishings, and supplies.	X						
29. Machinery, fixtures, equipment, and supplie used in business.	X						
30. Inventory	X						
31. Animals	X						
32. Crops-Growing or Harvested. Give particulars.	X						
33. Farming equipment and implements.	X						
34. Farm supplies, chemicals, and feed.	X						
35. Other personal property of any kind not already listed. Itemize.	X						
		Total (Report also on Summary of Schedules)		\$1,540			

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## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

**Brian Scott Kaczmar, Debtor** 

SCHEDULE C - PROPERTY	CLA	AIMED EXEMPT
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.  Checking account with - Fifth Third Bank xxx2241	735 ILCS 5/12-1001(b)	\$ 20	\$ 20
04. Household goods and furnishings, including audio, video, and computer equipment.  Household goods: TV, stereo, sofa, small appliances, microwave, bed and dresser	735 ILCS 5/12-1001(b)	\$ 500	\$ 500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 30	\$ 30
06. Wearing Apparel Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 50	\$ 50
07. Furs and jewelry.  Watches	735 ILCS 5/12-1001(b)	\$ 25	\$ 25
25. Autos, Truck, Trailers and other vehicles and accessories.  1995 Chevrolet Blazer with over 170k miles	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 915
PFG Record # <b>343013</b>		Form B6C (10/	D5) Page 1 of 1

### Document Page 12 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	O C H	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
[x] None								

**Total** 

\$ -

(Report also on Summary of Schedules.)

(if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

# Document Page 13 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYP	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	<b>Deposits by individuals</b> Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

<sup>\*</sup> Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Cı	reditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 ount of Claim
1	AT&T Universal Card Attn: Bankruptcy Department PO Box 20507 Kansas City MO 64195 Acct #: 5491130369504816			Dates: 2004 Reason: Credit Card or Credit Use				\$ 8,100
2	Bank One Bankruptcy Department PO Box 0599 Columbus OH 43271 Acct #: 4266851019279931			Dates: 2004 Reason: Credit Card or Credit Use				\$ 7,200

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
3 Chase Bankruptcy Department 800 Brooksedge Blvd. Westerville OH 43081 Acct #: 8337007003			Dates: 2006 Reason: Credit Card or Credit Use				\$ 8,500

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Unifund CCR Partners Bankruptcy Department 10625 Techwoods Circle Cincinnati OH 45242

4 Chase Bankruptcy Department 800 Brooksedge Blvd. Westerville OH 43081 Acct #: 5183370070035071	Dates: 2004 Reason: Credit Card or Credit Use	\$ 7,100
5 Citi Cards  Bankruptcy Department PO Box 6077 Sioux Falls SD 57117  Acct #: 5425180395993378	Dates: 2004 Reason: Credit Card or Credit Use	\$ 6,300
6 Citizens Community Bank Attn: Bankruptcy Dept. 1538 Elmhurst Rd. Elk Grove Village IL 60007 Acct #: 05M1116116	Dates: 2005 Reason: Personal Loan	\$ 5,800

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Merchants & Medical Credit Bankruptcy Department 6324 Taylor Drive Flint MI 48507-4685

Martin & Karcazes, Ltd. Bankruptcy Department 161 N. Clark St., #550 Chicago IL 60601



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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address In Zip Code and Account Numbe (See Instructions Above)	H W J	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
Discover Card  Bankruptcy Department 12 Reads Way New Castle DE 19720  Acct #: 6011007570614221		Dates: 1999 Reason: Credit Card or Credit Use				\$ 4,500
Bankruptcy Department PO Box 105989 Atlanta GA 30348		Dates: 2006 Reason: Credit Card or Credit Use				\$ 1,600
Acct #: 187						

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Performance Capital

Attn: Bankruptcy Department

2811 Main St Irvine CA 92614

9	Hand	And	<b>Plastic</b>	Surgery
---	------	-----	----------------	---------

C/O American Coll. Corp

919 Estes Ct.

Schaumburg IL 60193

Acct #: 66

### Dates: 2004

Reason: Medical/Dental Services

\$ 320

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

American Collection Co. Bankruptcy Department 919 E. Estes Ave Schaumburg IL 60193

### 10 Investment Retriever

Attn: Bankruptcy Dept.

PO BOX 4733

El Dorado Hills CA 95762

Acct #: 3434130028

Dates: 2006

Reason: Credit Extended to Debtor(s)

\$ 13,600



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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
11 Juniper Bank Bankruptcy Department 100 S. West St. Wilmington DE 19801 Acct #: 5140210004745357			Dates: 2005 Reason: Credit Card or Credit Use				\$ 8,200
12 MacNeal Hospital  Bankruptcy Department 75 Remittance Dr., Ste. 1209 Chicago IL 60675-1209  Acct #: XXX XX 0951			Dates: 2002 Reason: Medical/Dental Services				\$ 1,090

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Premium Asset Recovery Corp. Bankruptcy Department 350 Jim Moran Blvd., Ste. 210 Deerfield Beach FL 33442

UCB Collections Bankruptcy Department 5620 Southwyck Blvd. Toledo OH 43614

### 13 Matterhorn Financial Services

Attn: Bankruptcy Dept. 20 N. Clark St. STE 600 Chicago IL 60602

Acct #: 07SC9550

Dates: 2007

Reason: Debt Owed

\$ 1,600

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Zalutsky & Pinski, Ltd.
Bankruptcy Department
20 North Clark Street, Ste 600
Chicago IL 60602

### 14 MBNA America

Bankruptcy Department 3451 Harry S. Truman Blvd St. Charles MO 63301

Acct #: 5474970001345974

Dates: 2	20	∩ <i>!</i>

Reason: Credit Card or Credit Use

2,100

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
15 NCO Financial Systems, Inc Bankruptcy Department 507 Prudential Rd. Horsham PA 19044 Acct #: 1326			Dates: 2006 Reason: Debt Owed				\$ 20,600
Plastic Surgery Assoc  C/O FFCC Columbus, INC PO BOX 20790 Columbus OH 43220  Acct #: 755			Dates: 2004 Reason: Medical/Dental Services				\$ 330

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

FFCC - Columbus Inc Bankruptcy Dept PO BOX 20790 Columbus OH 43220

17 Providian  Bankruptcy Department  PO Box 660487  Dallas TX 75266  Acct #: 4185860131562288	Dates: 2004 Reason: Credit Card or Credit Use	\$ 2,900
18 Sears Bankruptcy Department PO Box 182149 Columbus OH 43218	Dates: 2005 Reason: Credit Card or Credit Use	\$ 900
Acct #: 8060523419477		

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Global Vantedge Inc. Bankruptcy Department PO Box 3458 San Rafael CA 94912

LVNV Funding LLC Bankruptcy Department PO Box 10584 Greenville SC 29603



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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number	odebtor	N H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	ntingent	quidated	sputed	Amount of Claim
(See Instructions Above)  19 Walmart  Bankruptcy Department  PO Box 981400  El Paso TX 79998  Acct #: 6032207320015770	Ö	С	Dates: 2000 Reason: Credit Card or Credit Use	ပိ	Uni	Ō	\$ 1,600

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 102,340.00



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In re

**Brian Scott Kaczmar, Debtor** 

Attorney for Debtor: Juan M Villalpando

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

# Document Page 21 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

Attorney for Debtor: Juan M Villalpando

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	



# UNITED STATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar / Debtor Bankruptcy Docket #:

Attorney for Debtor: Juan M Villalpando

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEBTOR AND SPOUSE ~ RELATIONSHIP AND AGE		
Status: Divorced			
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT	
Occupation:	Bar Security		
Name of Employer:	Mama Kazs Inc.		
Years Employed	over 3 years		
Employer Address:	7420 Madison St.		
City, State, Zip	Forest Park, IL 60130	,	

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions	\$ 866.67	\$ 0.00
(Prorate if not paid monthly.)  2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00
3. SUBTOTAL	\$ 866.67	\$ 0.00
4. LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 196.30	\$ 0.00
b. Insurance	\$ 260.00	\$ 0.00
c. Union Dues	\$ 0.00	\$ 0.00
d. Other (Specify)  Pension:	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforrms, 401K Loan:	\$ 0.00	\$ 0.00
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 456.30	\$ 0.00
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 410.37	\$ 0.00
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
8. Income from real property	\$ 0.00	\$ 0.00
Interest and dividends	\$ 0.00	\$ 0.00
<ol> <li>Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.</li> </ol>	\$ 0.00	\$ 0.00
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00
12. Pension or retirement income	\$ 0.00	\$ 0.00
13. Other monthly income (Specify:) & & &	\$ 0.00	\$ 0.00
Unemployment Income	\$ 0.00	\$ 0.00
14. SUBTOTAL OF LINES 7 THROUGH 13		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 410.37	\$ 0.00
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 410.	37
if there is only one debtor repeat total reported on line 15.)	Report also on Summary of Schedules and, if	applicable on Statistical Summary

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

Record #: 343013 Form B6I (10/06) Page 1 of 1

<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

### UNITED STATESTBARKREPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** Bankruptcy Docket #:

SCHEDULE J - CURRENT	EXPENSES OF	AUDIVIDUA	L DERIOK(	5)
Complete this schedule by estimating the average mor payments made bi-weekly, quarterly, semi-annually, or annually, or an		nd the debtor's famil	y at time case filed. Pr	rorate any
Check box if joint petition is filed & debtor's spouse maintain	ns a separate household. Comp	olete a separate sche	dule of expenditures lab	eled "Spouse".
1. Rent or home mortgage payment (include lot	rented for mobile home)			\$ -
a. Real Estate taxes included? [] Yes [x] I	•		[]Yes [x]No	<u> </u>
2. Utilities: a. Electricity and Heating Fuel	, ,			\$ -
b. Water, Sewer, Garbage				\$ -
c. Cellphone, Internet				\$ -
d. Other Home Phone and Cab	e Television			\$ 70.00
3. Home Maintenance (repairs and upkeep)				\$ -
4. Food				\$ 200.00
5. Clothing				\$ 50.00
6. Laundry and Dry Cleaning				\$ -
7. Medical and Dental Expenses				\$ -
8. Transportation (not including car payments)	Gas, Tolls/Parking, Fee	s/Licenses, Re	pair, Bus/Train	\$ 12.00
9. Recreation, Clubs and Entertainment, Newsp	apers, Magazines, etc.		•	\$ -
10. Charitable Contributions				\$ -
11. Insurance (not deducted from wages or include a. Homeowner's or Renter's	led in home mortgage pa	ayments)		\$ -
b. Life				\$ -
c. Health				\$-
d. Auto				\$ -
e. Other				\$-
12. Taxes (not deducted from wages or included	in home mortgage paym	ents)		<u>*</u>
(Specify) Federal or State Tax Repaymer		,		\$ -
13. Installment Payments: (In Chapter 11, 12, and	d 13 cases, do not list pa	yments to be in	cluded in plan)	<b>\$</b> -
<ul><li>a. Auto</li><li>b. Reaffirmation Payments</li></ul>				\$ -
c. Other	\$-			<del>\$</del> -
14. Alimony, maintenance and support paid to oth	ners			\$-
15. Payments for support of additional dependent	s not living at your home	9		<b>\$</b> -
16. Regular expenses from operation of business	, profession, or farm (att	ach detailed sta	tement)	\$ -
17. Other: Haircuts, Hygiene, Eyecare, Meds Postage/Bankir		Childcare & Babysitting	Pet Care:	
\$70.00 \$0.00	\$0.00	\$ -	\$ -	\$70.00
18. AVERAGE MONTHLY EXPENSES (Total lines the Stastical of Summary of Certain Liabilities and Relate		y of Schedules and	if applicable, on	\$ 402.00
19. Describe any increase/decrease in expenditu <i>None</i>	res anticipated to occur v	within the year f	ollowing the filing t	this document:
20. STATEMENT OF MONTHLY NET INCOME	a. Average monthly inc	come from Line	15 of Schedule I	\$ 410.37
	b. Average monthly ex	penses from Lir	ne 18 above	\$ 402.00
	c. Monthly net income	(a. minus b.)		\$ 8.37
	d. Total amount to be p	oaid into plan mo	onthly	\$ -

# Document Page 24 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2008: \$/month 2007: \$9,600	Employment. Debtor is unemployed without unemployment benefits since	

01/2008

NONE	
X	

2006: \$9,600

# Document Page 25 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

Attorney for Debtor: Juan M Villalpando

	STATEMENT OF FIN	IANCIAL AFFAIRS	
02. INCOME OTHER THAN FR	OM EMPLOYMENT OR OPERATION	OF BUSINESS:	
the two years immediately prec spouse separately. (Married de	eived by the debtor other than from emeding the commencement of this case. btors filing under chapter 12 or chapter separated and a joint petition is not file	Give particulars. If a joint petition is a 13 must state income for each spou	filed, state income for each
AMOUNT	SOURCE		
Spouse			
AMOUNT	SOURCE		
services, and other debts to any value of all property that constit		Itely proceeding the commencement of less than \$600.00. Indicate with a on or as part of an alternative repaym	of this case if the aggregate in asterisk (*) any payments nent schedule under a plan by or chapter 13 must include

or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Dates of

Payment/Transfers

Amount Paid or Value of

Transfers

Name and Address

of Creditor

Amount Still Owing Case 08-09233 Doc 1 Filed 04/15/08 Entered 04/15/08 18:03:03 Desc Main Page 26 of 41 Document

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF FINANCIAL AFFAIRS

NONE X

c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of Creditor & Relationship to Debtor

Dates of Payments Amount Paid or Value of **Transfers** 

Amount Still Owing

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**CAPTION OF** SUIT AND CASE NUMBER

**NATURE** OF **PROCEEDING** 

COURT OF AGENCY AND LOCATION

**STATUS** OF DISPOSITION

Citizens Community v. Brian Kaczmar; 2005-M1-116116

**Judgment** 

**Cook County Circuit Court** 

pending

NONE X

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person for Whose Benefit Property was Seized

Date of Seizure Description and Value of Property

NONE X

05. REPOSSESSION, FORECLOSURES AND RETURNS:

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor or Seller

Date of Repossession, Foreclosure Sale, Transfer or Return

Description and Value of Property



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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

Attorney for Debtor: Juan M Villalpando

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NONE

06. ASSIGNMENTS AND RECEIVERSHIPS:

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Date Terms of
Address of of Assignment or
Assignee Assignment Settlement

NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name andName & LocationDateDescriptionAddressof Court Caseofand Value ofof CustodianTitle & NumberOrderProperty

NONE

07. GIFTS:

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person<br/>orRelationship<br/>to Debtor,Date<br/>of<br/>And ValueDescription<br/>and ValueOrganizationIf AnyGiftof Gift

NONE

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Description of Circumstances and, Value if Loss Was Covered in Whole or in of Property Part by Insurance, Give Particulars Loss

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

Attorney for Debtor: Juan M Villalpando

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na	PAYMENTS RI	EL ATED TO	DERT COLINSEL	ING OR BANKRI IE	TCV.

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or Description and Value of Property

Payment/Value:

2,000.00

Law Office of Peter Francis Geraci 55 E. Monroe Street #3400

Chicago, IL60603

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or description and Value of Property

\$50.00

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227

NONE

### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Transferee, Relationship to Debtor Describe Property Transferred and Value Received

NONE

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of Trust or other Device Date(s) of Transfer(s)

Date

Amount and Date of Sale or Closing Case 08-09233 Doc 1 Filed 04/15/08 Entered 04/15/08 18:03:03 Desc Main Page 29 of 41 Document

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF FINANCIAL AFFAIRS

NONE X

#### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution

Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and Date of Sale or Closing

#### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not

Name and Address of Bank or Other Depository

Names & Addresses of Those With Access to Box or depository

Description of Contents

Date of Transfer or Surrender, if Any

NONE X

#### 13. SETOFFS:

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor

Date of Setoff

Amount of Setoff

NONE X

### 14. LIST ALL PROPERTY HELD FOR ANOTHER PERSON:

List all property owned by another person that the debtor holds or controls.

Name and Address of Owner

Description and Value of Property

Location of Property



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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

Attorney for Debtor: Juan M Villalpando

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NONE

#### 15. PRIOR ADDRESS OF DEBTOR(S):

If debtor has moved within three (3) years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

	Name	Dates of
Address	Used	Occupancy

NONE

#### 16. SPOUSES and FORMER SPOUSES:

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight (8) years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

Name

NONE

### 17. ENVIRONMENTAL INFORMATION:

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

NONE

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

# Document Page 31 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

17b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.			
Site Name and Address	Name and Address of Governmental Unit	Date of Notice	Environmental Law
	ive proceedings, including settlements the name and address of the government		
Name and Address of	Docket	Status of	
Governmental Unit			
a. If the debtor is an individual, lis ending dates of all businesses in partnership, sole proprietor, or wa immediately preceding the comm	at the names, addresses, taxpayer iden which the debtor was an officer, director as self-employed in a trade, profession, encement of this case, or in which the	r, partner, or managing executive or other activity either full- or part- lebtor owned 5 percent or more of	of a corporation, partner in a time within six (6) years
a. If the debtor is an individual, lis ending dates of all businesses in partnership, sole proprietor, or wa immediately preceding the comm within six (6) years immediately p	It the names, addresses, taxpayer identification the debtor was an officer, director as self-employed in a trade, profession, encement of this case, or in which the receding the commencement of this catche names, addresses, taxpayer identification the debtor was a partner or owner.	r, partner, or managing executive or other activity either full- or part- lebtor owned 5 percent or more of se. cation numbers, nature of the busi	of a corporation, partner in a time within six (6) years the voting or equity securities nesses, and beginning and
a. If the debtor is an individual, lisending dates of all businesses in partnership, sole proprietor, or waimmediately preceding the commwithin six (6) years immediately preceding dates of all businesses in (6) years immediately preceding the debtor is a partnership, list the debtor is a corporation, list the debtor is a corporation in the debtor is a corporation.	It the names, addresses, taxpayer identification which the debtor was an officer, director as self-employed in a trade, profession, encement of this case, or in which the creceding the commencement of this case, the names, addresses, taxpayer identification which the debtor was a partner or owner the names, addresses, taxpayer identification which the debtor was a partner or owner the commencement of this case.	r, partner, or managing executive or other activity either full- or partlebtor owned 5 percent or more of se.  cation numbers, nature of the busing 5 percent or more of the voting cation numbers, nature of the busing	of a corporation, partner in a time within six (6) years the voting or equity securities nesses, and beginning and or equity securities, within six nesses, and beginning and
a. If the debtor is an individual, lisending dates of all businesses in partnership, sole proprietor, or waimmediately preceding the commwithin six (6) years immediately preceding dates of all businesses in (6) years immediately preceding the debtor is a partnership, list the debtor is a corporation, list the debtor is a corporation in the debtor in the debtor is a corporation in the debtor in	It the names, addresses, taxpayer identification which the debtor was an officer, director as self-employed in a trade, profession, encement of this case, or in which the creceding the commencement of this case, the names, addresses, taxpayer identification which the debtor was a partner or owner the names, addresses, taxpayer identification which the debtor was a partner or owner the commencement of this case.	r, partner, or managing executive or other activity either full- or partlebtor owned 5 percent or more of se.  cation numbers, nature of the busing 5 percent or more of the voting cation numbers, nature of the busing	of a corporation, partner in a time within six (6) years the voting or equity securities nesses, and beginning and or equity securities, within six nesses, and beginning and

## Document Page 32 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

•	the commencement of this ca	tement only if the debtor is or has been in business, as defined abase. A debtor who has not been in business within those six years
19. BOOKS, RECORDS AND FINANC		
	IAL STATEMENTS:	
List all bookkeepers and accountants w the keeping of books of account and rec	` · · •	diately preceding the filing of this bankruptcy case kept or supervi
Name and Address	Dates Services Rendered	
19b. List all firms or individuals who wit account and records, or prepared a fina	· · ·	y preceding the filing of this bankruptcy case have audited the boo
Nama	Addroop	Dates Services Rendered
Name	Address	Nendered
19c. List all firms or individuals who at the of the debtor. If any of the books of according to the books of according to the books.		nt of this case were in possession of the books of account and recilable, explain.
Name	Address	
19d. List all financial institutions, credito issued by the debtor within two (2) year	•	g mercantile and trade agencies, to whom a financial statement w commencement of this case.
Name and	Date	

# Document Page 33 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar, Debtor** 

	STATEMENT OF FIN		
20. INVENTORIES			
ist the dates of the last tw he dollar amount and basi	o inventories taken of your property, the names of each inventory.	ne of the person who supervised the tal	king of each inventory, a
Date of	Inventory	Dollar Amount of Inventory (specify cost, market of other	
Inventory	Supervisor	basis)	
). List the name and addre	ess of the person having possession of the re	ecords of each of the inventories reporte	ed in a., above.
Date of Inventory	Name and Addresses of Custodian of Inventory Records		
21. CURRENT PARTNEF	S, OFFICERS, DIRECTORS AND SHAREH	IOLDERS:	
	ship, list nature and percentage of interest o  Nature  of Interest		
a. If the debtor is a partner  Name and Address	ship, list nature and percentage of interest o  Nature of Interest  oration, list all officers & directors of the corp	f each member of the partnership.  Percentage of Interest  oration; and each stockholder who dire	ctly or indirectly owns,
Name and Address  21b. If the debtor is a corporatrols, or holds 5% or me	ship, list nature and percentage of interest o Nature of Interest	Percentage of Interest  oration; and each stockholder who directorporation.	ctly or indirectly owns,
a. If the debtor is a partner  Name and Address	ship, list nature and percentage of interest o  Nature of Interest  oration, list all officers & directors of the corp	f each member of the partnership.  Percentage of Interest  oration; and each stockholder who dire	ctly or indirectly owns,
Name and Address  21b. If the debtor is a corporatrols, or holds 5% or many and Address	Nature of Interest  oration, list all officers & directors of the corp ore of the voting or equity securities of the corp	Percentage of Interest  oration; and each stockholder who directorporation.  Nature and Percentage of Stock Ownership	ctly or indirectly owns,
Name and Address  21b. If the debtor is a corporatrols, or holds 5% or mand Address  Name and Address	ship, list nature and percentage of interest o  Nature of Interest  oration, list all officers & directors of the corp ore of the voting or equity securities of the co	Percentage of Interest  oration; and each stockholder who directorporation.  Nature and Percentage of Stock Ownership  DLDERS:	

## Document Page 34 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

mmencement of this case.	ationship with the corporation terminated within c	one (1) year
·	Date of	
Title	Termination	
A PARTNERSHIP OR DISTRIBUTION BY	A COPORATION:	
Date and	Amount of Money or	
Purpose of	Description and value of	
GROUP:		
	· · · · · · · · · · · · · · · · · · ·	
Taxpayer		
Identification Number (EIN)		
	Date and Purpose of Withdrawal  BROUP:  list the name and federal taxpayer identific debtor has been a member at any time wit	Title Termination  A PARTNERSHIP OR DISTRIBUTION BY A COPORATION:  or corporation, list all withdrawals or distributions credited or given to an insider, including of edemptions, options exercised and any other perquisite during one year immediately preceded and any other perquisite during one year immediately preceded and Amount of Money or Description and value of Withdrawal Property  SROUP:  list the name and federal taxpayer identification number of the parent corporation of any or debtor has been a member at any time within six (6) years immediately preceding the company of the parent corporation of the corporation of any or debtor has been a member at any time within six (6) years immediately preceding the corporation of the parent corporation of any or debtor has been a member at any time within six (6) years immediately preceding the corporation of any or debtor has been a member at any time within six (6) years immediately preceding the corporation of any or debtor has been a member at any time within six (6) years immediately preceding the corporation of any or debtor has been a member at any time within six (6) years immediately preceding the corporation of any or debtor has been a member at any time within six (6) years immediately preceding the corporation of the parent corporation of any or debtor has been a member at any time within six (6) years immediately preceding the corporation of the parent corporation

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar, Debtor

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF FINANCIAL AFFAIRS

### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 04/09/2008 /s/ Brian Scott Kaczmar

**Brian Scott Kaczmar** 

X Date & Sign

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

# Document Page 36 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** 

Attorney for Debtor: Juan M Villalpando

### STATEMENT OF INTENTION

- 1. Debtor(s) have filed a schedule of assets/liabilities including consumer debts secured by property of the estate.
- 2. Debtor(s) intention with respects to their property of the estate which secures those consumer debts is as follows:
- 3. Debtor(s) understand that 521(2)(B) of the Bankruptcy Code requires that the below stated intentions must be performed within 45 days of filing.

Description of Property Creditor's Name Intention

### PROPERTY TO BE RETAINED

[x] None

\*524(c): Debt will be reaffirmed pursuant to Sec. 524(c)

\*722: Property is claimed as exempt and will be redeemed pursuant to Sec. 722

### I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 04/09/2008

/s/ Brian Scott Kaczmar
Brian Scott Kaczmar

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

# Document Page 37 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar**, **Debtor** 

Attorney for Debtor: Juan M Villalpando

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

			AMOUNTS SCHEDULED		
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$-	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$1,540	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$-	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$102,340	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$410
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$402
TOTALS			\$ 1,540 TOTAL ASSETS	\$ 102,340 TOTAL LIABILITIES	

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Brian Scott Kaczmar / Debtor Bankruptcy Docket #:

Attorney for Debtor: Juan M Villalpando

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 0

### State the following:

Average Income (from Schedule I, Line 16)	\$ 410.37
Average Expenses (from Schedule J, Line 18)	\$ 402.00
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 386.75

### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 0.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 102,340.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 102,340.00

# Document Page 39 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Brian Scott Kaczmar Debtor Bankruptcy Docket #:

Attorney for Debtor: Juan M Villalpando

### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated: 04/09/2008 /s/ Brian Scott Kaczmar

Brian Scott Kaczmar

X Date & Sign

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

# Document Page 40 of 41 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

**Brian Scott Kaczmar / Debtor** 

Attorney for Debtor: Juan M Villalpando

### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 04/09/2008

/s/ Brian Scott Kaczmar

**Brian Scott Kaczmar** 

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Dated: 04/09/2008 /s/ Brian Scott Kaczmar

**Brian Scott Kaczmar** 

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Sign & Date Here



Sign & Date Here

Dated: 04/14/2008 /s/ Juan M Villalpando

Attorney: Juan M Villalpando Bar No: 6285237